

#116  
3/22/02

CERTIFICATE OF HAND DELIVERY

I hereby certify that this paper is being delivered by hand to the U.S. Patent Office in accordance with 37 CFR § 1.6(b), addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated.

John Clark White  
Name

March 19, 2002  
Date

03/19/02 11:03:53

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: John Clark et al.

Art Unit: 1632

Serial No.: 09/593,316

Examiner: Q. Janice Li, Ph.D.

Filing Date: June 13, 2000

For: ANIMAL TISSUE FOR  
XENOTRANSPLANTATION

AMENDMENT UNDER 37 CFR § 1.111

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This paper is responsive to the first Office Action on the merits, dated November 23, 2001 (Paper No. 7), for which a response is due February 23, 2002. Accompanying this Response is a Petition to extend the time for responding by 1 month, along with authorization to charge the extension fee to the deposit account. Upon granting the Petition, a response to the Office Action is due March 23, 2002. Accordingly, this paper is timely filed.

Applicant has given careful consideration to the analysis made by the Examiner in the Office Action. Please enter the following amendments and remarks.

AMENDMENTS

Please cancel claims 8-12, 18-21, and 23-26 without prejudice.

Please enter the following new claims:

33. (New) The cell of claim 4, which is a fibroblast.
34. (New) The cell of claim 4, which is a kidney cell.
35. (New) The cell of claim 4, which is a hepatocyte.
36. (New) The cell of claim 4, which is a cardiac cell.
37. (New) The cell of claim 4, which is an islet cell.

For the convenience of the Examiner, a complete set of all pending claims is attached to the back of this Amendment.

REMARKS

New claims 33-37 are product claims depending from claims in the elected group. Accordingly, claims 1-6 and 33-37 are under examination. Claims 7, 13-17, 22, 27-32 are also pending in this application, but withdrawn from examination. Applicants have requested rejoinder of Group IV (claim 16) once the claims under examination are allowable.

Applicants acknowledge with gratitude that the Examiner has rejoined the claims in Group II with the claims in Group I for purposes of examination in the present application.

Claims 1-6 stand rejected under 35 USC § 112 ¶ 1. Applicants acknowledge with gratitude the indication in the Office Action that these claims are free of prior art.

Reconsideration and allowance of the application is respectfully requested.